

# Declaration, Power Of Attorney and Petition

Page 1 of 3

WE (I) the undersigned inventor(s), hereby declare(s) that:

My residence, post office address and citizenship are as stated below next to my name,

We (I) believe that we are (I am) the original, first, and joint (sole) inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled

MURINE  $\alpha$ (1,3) FUCOSYLTRANSFERASE Fuc-TVII, DNA ENCODING THE SAME,  
METHOD FOR PREPARING THE SAME, ANTIBODIES RECOGNIZING THE SAME,  
IMMUNOASSAYS FOR DETECTING THE SAME, PLASMIDS CONTAINING SUCH DNA,  
AND CELLS CONTAINING SUCH A PLASMID

the specification of which

☐ is attached hereto.

☒ was filed on MARCH 8, 1996 as

Application Serial No. 08/613,098

and amended on \_\_\_\_\_.

☐ was filed as PCT international application

Number \_\_\_\_\_

on \_\_\_\_\_,

and was amended under PCT Article 19

on \_\_\_\_\_ (if applicable).

We (I) hereby state that we (I) have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We (I) acknowledge the duty to disclose information known to be material to the patentability of this application as defined in Section 1.56 of Title 37 Code of Federal Regulations.

We (I) hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed. Prior Foreign Application(s)

Application No.	Country	Day/Month/Year	Priority Claimed	
_____	_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No

We (I) hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

\_\_\_\_\_  
(Application Number)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Application Number)

\_\_\_\_\_  
(Filing Date)

We (I) hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application Serial No.	Filing Date	Status (pending, patented, abandoned)
_____	_____	_____
_____	_____	_____
_____	_____	_____

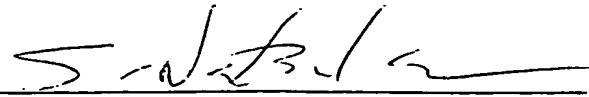
And we (I) hereby appoint: Norman F. Oblon, Registration Number 24,618; Marvin J. Spivak, Registration Number 24,913; C. Irvin McClelland, Registration Number 21,124; Gregory J. Maier, Registration Number 25,599; Arthur I. Neustadt, Registration Number 24,854; Richard D. Kelly, Registration Number 27,757; James D. Hamilton, Registration Number 28,421; Eckhard H. Kuesters, Registration Number 28,870; Robert T. Pous, Registration Number 29,099; Charles L. Gholz, Registration Number 26,395; Vincent J. Sunderdick, Registration Number 29,004; William E. Beaumont, Registration Number 30,996; Steven B. Kelber, Registration Number 30,073; Robert F. Gnuse, Registration Number 27,295; Jean-Paul Lavalleye, Registration Number 31,451; William B. Walker, Registration Number 22,498; Timothy R. Schwartz, Registration Number 32,171; Stephen G. Baxter, Registration Number 32,884; Martin M. Zoltick, Registration Number 35,745; Robert W. Hahl, Registration Number 33,893; Richard L. Treanor, Registration Number 36,379; Steven P. Weihrouch, Registration Number 32,829; John T. Goolkasian, Registration Number 26,142; Marc R. Labgold, Registration Number 34,651; William J. Healey, Registration Number 36,160; and Richard L. Chinn, Registration Number 34,305; our (my) attorneys, with full powers of substitution and revocation, to prosecute this application and to transact all business in the Patent Office connected therewith; and we (I) hereby request that all correspondence regarding this application be sent to the firm of OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C., whose Post Office Address is: Fourth Floor, 1755 Jefferson Davis Highway, Arlington, Virginia 22202.

We (I) declare that all statements made herein of our (my) own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Shunji NATSUKA

NAME OF FIRST ~~SOLE~~ INVENTOR

Residence: 1423 Natalie Lane, #79

  
Signature of Inventor

Citizen of: JAPAN

Post Office Address: Same as above

Date May 12, 1996

Kevin M. GERSTEN

NAME OF SECOND JOINT INVENTOR

Kevin M. Gersten

Signature of Inventor

6/18/96

Date

John B. Lowe

NAME OF THIRD JOINT INVENTOR

Signature of Inventor

Date

NAME OF FOURTH JOINT INVENTOR

Signature of Inventor

Date

NAME OF FIFTH JOINT INVENTOR

Signature of Inventor

Date

Residence: 1826 N. 57th StreetSeattle, Washington 98103-5913Citizen of: United StatesPost Office Address: Same as aboveResidence: 2472 Antietam DriveAnn Arbor, Michigan 48105Citizen of: United StatesPost Office Address: Same as above

Residence: \_\_\_\_\_

Citizen of: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Residence: \_\_\_\_\_

Citizen of: \_\_\_\_\_

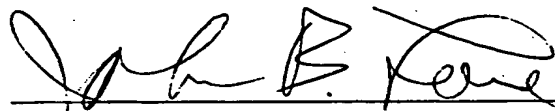
Post Office Address: \_\_\_\_\_

Kevin M. GERSTEN  
NAME OF SECOND JOINT INVENTOR

Signature of Inventor

Date

John B. Lowe  
NAME OF THIRD JOINT INVENTOR

  
Signature of Inventor

Date

9 May 1996

NAME OF FOURTH JOINT INVENTOR

Signature of Inventor

Date

NAME OF FIFTH JOINT INVENTOR

Signature of Inventor

Date

Residence: 1826 N. 57th Street  
Seattle, Washington 98103-5913

Citizen of: United States

Post Office Address: Same as above

830 Watershed

Residence: ~~2472 Arletta~~ Drive  
Ann Arbor, Michigan 48105

Citizen of: United States

Post Office Address: Same as above

Residence:

Citizen of:

Post Office Address:

Residence:

Citizen of:

Post Office Address:

COPY

OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.

Applicant or Patentee: SHUNJI NATSUKA ET AL

Serial ~~NO.~~ No.: 08/613,098

Atty. Dkt. No.: 2363-114-55

Filed ~~DATE~~: MARCH 8, 1996

For: MURINE  $\alpha$ (1,3)FUCOSYLTRANSFERASE Fuc-TVII, DNA ENCODING THE SAME,  
METHOD FOR PREPARING THE SAME, ANTIBODIES RECOGNIZING THE SAME...  
**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS**  
**(37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION THE REGENTS OF THE UNIVERSITY OF MICHIGAN  
ADDRESS OF ORGANIZATION 3003 S. STATE STREET, ANN ARBOR, MICHIGAN  
48109-1280

TYPE OF ORGANIZATION

☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION

☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c) (3))

☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA

(NAME OF STATE \_\_\_\_\_)

(CITATION OF STATUTE \_\_\_\_\_)

☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA

☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA

(NAME OF STATE \_\_\_\_\_)

(CITATION OF STATUTE \_\_\_\_\_)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) or (b) of Title 35, United States Code with regard to the invention entitled MURINE  $\alpha$ (1,3)FUCOSYLTRANSFERASE Fuc-TVII, DNA ENCODING THE SAME, METHOD FOR PREPARING... by inventor(s) SHUNJI NATSUKA ET AL described in

☐ the specification filed herewith

☒ application serial no. 08/613,098

☐ patent no. \_\_\_\_\_, filed MARCH 8, 1996

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☐ NONPROFIT ORGANIZATION

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.26(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING \_\_\_\_\_

TITLE IN ORGANIZATION \_\_\_\_\_

ADDRESS OF PERSON SIGNING \_\_\_\_\_

SIGNATURE \_\_\_\_\_

DATE 5-8-96